

**Village of Indian Head Park
201 Acacia Drive
Indian Head Park, IL 60525
MEETING MINUTES
BOARD OF TRUSTEES**

“Pursuant to 5 ILCS 120/2.06 (3) minutes of public meetings shall include, but need not be limited to a general description of all matters proposed, discussed, or decided and a record of votes taken.”

Thursday, July 10, 2014

7:30 p.m.

CALL TO ORDER – MAYOR RICHARD S. ANDREWS

The regular meeting of the Village of Indian Head Park Board of Trustees was held on Thursday, July 10, 2014 at the Municipal Facility, 201 Acacia Drive, and was convened at 7:30 p.m. by Mayor Richard S. Andrews. Village Clerk Joseph Consolo called the roll as follows:

ROLL CALL: JOSEPH CONSOLO, VILLAGE CLERK

PRESENT (AND CONSTITUTING A QUORUM):

Mayor Richard Andrews
Trustee Brian T. Bailey (arrived at 8:00 p.m.)
Trustee Tom Hinshaw
Trustee Brenda O’Laughlin
Trustee Norman L. Schnauffer
Trustee Matt Walsh
Trustee Amy Jo Wittenberg

ALSO PRESENT:

John Brooks, Chief of Police/Administration
Steve Busa, Treasurer
Joseph V. Consolo, Village Clerk
Richard Ramello, Counsel, Storino, Ramello & Durkin
Edward Santen, Water/Public Works Superintendent

For the record, Mayor Andrews noted Board meetings are being videotaped by the Village as well as video or audio recordings by others.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Andrews and the Board of Trustees led the audience in reciting the Pledge of Allegiance to the Flag: *"I Pledge Allegiance to the Flag of the United States of America and to the republic for which it stands, one nation under God indivisible with liberty and justice for all"*.

PUBLIC HEARING REGARDING PROPOSED APPROPRIATIONS ORDINANCE FOR FISCAL YEAR BEGINNING MAY 1, 2014 AND ENDING APRIL 30, 2015 (DISCUSSION AND A VOTE WILL TAKE PLACE)

Review of Appropriations Ordinance

Public Comments

Approval of Appropriations Ordinance for Fiscal Year 2014/2015

The Public hearing was held regarding the proposed Appropriations Ordinance for fiscal year beginning May 1, 2014 and ending April 30, 2015. The Board discussed both long and short term planning, assessing infrastructure, other needs of the Village, re-evaluating lists of items proposed in the budget process, items brought up late in the budget cycle and budget items discussed by the Finance Committee. Trustee Walsh moved, seconded by Trustee Schnaufer, to close the public hearing. Carried by unanimous voice vote. (5/0/1).

Trustee Schnaufer moved, seconded by Trustee Walsh to approve the Appropriations Ordinance for fiscal year May 1, 2014 to April 30, 2015. Motioned denied due to a lack of a majority vote. (3/3/1).

Ayes: Trustees: Schnaufer, Walsh and Mayor Andrews

Nays: Trustees, Hinshaw, O'Laughlin, Wittenberg

Absent: Bailey

Mayor Andrews pointed out the Appropriations Ordinance is the Village's formal authority to spend money. Therefore, if the ordinance is not approved the street program would not be able to move forward as well as the water improvement project and all expenses designated in the ordinance. Counsel Ramello stated in the absence of an appropriations ordinance for this fiscal year the Village would have to rely only on appropriations from last year. Trustee Schnaufer moved, seconded by Trustee Bailey, to reconsider the proposed appropriations ordinance. Carried by unanimous voice vote (6/0/0). Trustee Wittenberg moved, seconded by Trustee Walsh, to approve the appropriations ordinance for fiscal year beginning May 1, 2014 and ending April 30, 2015 as amended including \$25,000 for an infrastructure depreciation line item to be added to the ordinance. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg

Nays: None

Absent: None

MAYOR'S REPORT – RICHARD ANDREWS

Mayor Andrews mentioned the Illinois and Michigan Canal Heritage Corridor will be hosting its annual River Thru History event on September 6th and 7th at Columbia Woods in Willow Springs. A construction update was provided regarding the Cascade Drive/Pontiac Drive Watermain Project. The EPA permits have been received and Uno Construction will be starting the project, weather permitting. Approximately 97% of the curb work is done in the 45 acres area, 95% of curbs are done in Acacia, about 20% of curb work is finished in Ashbrook and temporary access to driveways will be restored followed by adjustments to storm sewers and other structures. Central Blacktop will start the road project in Ashbrook with grinding blacktop for new mill and overlay and curb/gutter work and signs will be posted to notify residents regarding no parking in certain areas when the work starts. Trustee Hinshaw asked if there are other ways to notify residents about the project through calls to certain areas and he asked about the scope of work that will be done on Keokuk. The Board discussed the scope of work on Keokuk as well as other areas, some vehicles may need to be relocated if they are parked on the street when the road project starts, temporary no parking signs will be posted, parking may be limited during certain times but not restricted and additional information is available on the Website. Andy Allison of Keokuk asked if grading would be addressed when the road work takes place on Keokuk. Mayor Andrews noted the grading pitch will be addressed during the road project on that street.

REPORT/RECOMMENDATION FROM THE PLANNING/ZONING COMMISSION – CHAIRMAN DENNIS SCHERMERHORN (DISCUSSION AND A VOTE WILL TAKE PLACE)

1. Report and Recommendation from the Planning/Zoning Commission Regarding Petition #180 – a Request for a Side and Rear Yard Variance – Approval of an Ordinance Granting a Side and Rear Yard Variance – 11216 Hiawatha Lane

Chairman Schermerhorn noted a petition was presented by Mr. Joseph Leonard, the Commission discussed in detail the scope of the project as well as the property enhancements and the planned incursions into the setback restrictions imposed by the code. Mr. Leonard received input from the neighbors by circulating his own letter of explanation of the project and seeking a written expression of support. There were 8 support responses. The neighbor to the east presented an objection based on creating a precedent to setback incursions as well as reiterating long standing property line and irrigation disputes. Two specific variances were requested: (1) to allow a 2 foot incursion of a pergola roof overhang into the side yard setback to the east. There have been routine side setback reliefs granted to the properties on Hiawatha (2) to allow for a rear yard encroachment of 32' to accommodate the construction of a seat wall, an outdoor fireplace and a gazebo structure. After some discussion, the Commission recognized that the narrow but deep lots on Hiawatha required some zoning accommodation and suggested a rear yard setback change to the existing ordinance to provide a rear yard setback of 40% of the depth of the property or 100 feet, whichever is less. The Commission took note of that recommendation in adopting its recommendation to the Village Board.

Accordingly, upon a review of the findings of fact the Commission voted to recommend to the Village Board that the motion presented by the Petitioner be approved with the following conditions:

1. The gazebo shall remain un-enclosed
2. All rain water run-off shall be contained within the property
3. The plans as presented by the petition would be adjusted to have a 100' rear yard, not 99'as indicated.
4. Approval of this petition is in recognition of the pending recommendation of the Commission to the Board to adjust the code language relating to rear yard setbacks which, if adopted by this board would not create a rear yard variance. Due to the pending status of this recommendation, approval of this petition should not be construed as to create a precedent if the Board should later rule against the Commission code change recommendation.

Trustee Hinshaw moved, seconded by Trustee Walsh, to accept the report from the Planning/Zoning Commission regarding Petition #180. Carried by unanimous voice vote (6/0/0). Trustee Walsh moved, seconded by Trustee O'Laughlin, to approve Ordinance #2014-7 granting a side and rear yard variance for the property at 11216 Hiawatha Lane. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnaufer, Walsh, Wittenberg

Nays: None

Absent: None

Mr. Leonard thanked the zoning members and officials who came out to the property to review the proposed plans for the project.

2. Report and Recommendation from the Planning/Zoning Commission Regarding Petition #181 – a Request for an Amendment to the Ashbrook Planned Unit Development - Approval of an Ordinance Granting an Amendment to the Ashbrook P.U.D. and Rear Yard Variance – 6111 Glenbrook Lane

Chairman Schermerhorn noted a petition was presented by Mr. and Mrs. Brian Mitchell. The Commission discussed the project in detail, the property enhancements and the planned incursions into the setback restrictions imposed by the code and the Planned Unit Development (PUD). The variance is needed to allow space on the deck for a family of five to all gather as well as stair access to the lower level to which the children access the community playground. The variance requested is for a 4 1/2' incursion into the rear yard setback. There have been several similar variances and amendments granted in the past for similar requests. Brian Mitchell stated he and his family recently moved to Ashbrook Development from Hiawatha Lane, the home has a walk-out basement and there is a small deck with no stairs down to grade. Mr. Mitchell stated there is a community park in Ashbrook his children enjoy and a new larger deck with stairs down to grade would allow easier access to the park from the house. Mrs. Mitchell stated the proposed plan was discussed with neighbors and there were no objections to the plan. The Commission members discussed that other property owners have received variances for similar requests and there are some decks with stairs down to grade.

Chairman Schermerhorn stated there have been four rear yard variances granted in Ashbrook ranging from five to seven feet. Therefore, granting the variance would not be setting a precedent. Accordingly, upon a review of the finding of facts and an acknowledgement that the petitioner met a burden of proof for PUD amendment, the Commission voted to recommend to the Board that the motion presented by the Petitioner be approved with the following condition: (1) the deck shall remain un-enclosed. Trustee Walsh moved, seconded by Trustee Wittenberg, to accept the report from the Planning/Zoning Commission regarding Petition #181. Carried by unanimous voice vote (6/0/0). Trustee Bailey moved, seconded by Trustee Hinshaw, to approve Ordinance #2014-8 granting an amendment to the Ashbrook Planned Unit Development. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnauffer, Walsh, Wittenberg

Nays: None

Absent: None

APPROVAL OF BOARD MEETING MINUTES

Minutes of the Regular Board Meeting – June 12, 2014

After review of the regular Board meeting minutes, Trustee Schnauffer moved, seconded by Trustee Bailey, to approve the June 12, 2014 meeting minutes, as presented. Motion carried by unanimous voice vote (6/0/0).

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE – AGENDA ITEMS ONLY

None

AGENDA ITEMS (DISCUSSION AND A POSSIBLE VOTE MAY TAKE PLACE)

1. Award of Electric Aggregation Agreement

Mayor Andrews and the Board discussed the expiration of the electric aggregation agreement with Constellation Energy at a current energy supplier rate of 7.67 cents through September, 2014. The Board went out for bids from various suppliers including certain requirements. Three companies responded: Constellation Energy, Integrys and MC Squared. Counsel reviewed the qualifications of bidders, tabulations of prices, specifics of the contracts and references. After discussion by the Board and review of all proposals with counsel including the price per kilowatt hour and terms, the Board considered entering into an agreement with Integrys at a rate of 7.23 cents per kwh for 12 months, 7.19 cents per kwh for 24 months, or 7.1 cents per kwh for 36 months. The Board discussed opt-out provisions, no termination fees and other terms of the agreement as well as other suppliers some Villages are considering. Counsel Ramello stated most exceptions are minor in the power supply agreement. Trustee Walsh moved, seconded by Trustee O'Laughlin, to amend Resolution #R7-14-1 and to award the electric aggregation agreement to Integrys at a rate of 7.1 cents per kwh for a period of 36 months. Carried by unanimous roll call vote (6/0/0).

Ayes: Trustees: Bailey, Hinshaw, O'Laughlin, Schnauffer, Walsh, Wittenberg
Nays: None
Absent: None

2. Term Limits Discussion

Mayor Andrews mentioned the Board previously discussed terms limits. The item is on the agenda again to consider whether to place a question on the November ballot asking residents whether terms should be limited for Board members. Trustee Hinshaw stated he would like term limits implemented for Board members to serve two or three terms and asked when would that have to be decided to place it on the ballot. Mayor Andrews stated the Board would need to decide at the August meeting to place a question on the November ballot. John Corcoran, of Apache Drive, mentioned there are term limits because every four years voters have the choice whether to allow a Board member to continue or not by voting. Chris Metz, of Arrowhead Court, stated he is in favor of a two term limit for Board members.

3. Heritage Center Discussion

Mayor Andrews mentioned based on comments previously about the Heritage Center, he proposed a non-binding referendum to be placed on the November ballot asking residents about the future of the Heritage Center. The ballot question would be should the Village sell the Heritage Center property or not. The Board discussed the cost and expenses regarding maintenance of the building, use of the vacant parcel, whether the building could be sold if the money was specifically obtained through land acquisition grant money and subdividing the two parcels. Trustee Walsh stated there is value of the vacant lot next to the Heritage Center that can be sold and allocated for other purposes. Counsel Ramello will verify if the property can be sold with proceeds to be used for other purposes. Trustee Bailey stated since the referendum is non-binding, he supported placing the question on the ballot. Trustee Hinshaw stated he is in favor of a non-binding referendum; he would like to know the structural costs of the Heritage Center and if there are any mold issues in the building. The Board discussed a study that was done assessing the moisture and mold count in the building and the recommendation was a commercial dehumidifier be installed in the basement of the building. Chris Metz, mentioned Arrowhead Memorial Pointe is also a piece of property that may not be utilized. Joe Leonard, of Hiawatha, suggested asking residents if they supported financing and creating park areas on the properties discussed instead of selling the properties. Becky Glasscock stated she would be interested to know what the expenses are to maintain the Heritage Center and favored selling the property to a developer who would include space for a library. John Corcoran stated it is important how the question is phrased on the ballot, an old building will continue to cost money, residents need to know how much those costs would be and what is the true function of the building. The Board will continue the discussion again at the August Board meeting.

QUESTIONS AND/OR COMMENTS FROM THE AUDIENCE

Chris Metz asked if the public portion of the executive session meeting held in February would be released.

Mayor Andrews stated the public portion of those minutes would be released when the minutes are transcribed. Bob Bersin mentioned there have been a few power outages recently in the Village. Mayor Andrews stated the representative from ComEd will be contacted.

ADJOURNMENT

There being no further business to discuss, Trustee Schnaufer moved, seconded by Trustee O’Laughlin, to adjourn the regular Board meeting at 10:20 p.m. Motion Carried by unanimous voice vote (6/0/0).

Submitted by,
Joseph V. Consolo, Village Clerk
Kathy Leach, Recording Secretary